



AN ACT INCLUDING TRIBAL FISH AND GAME WARDENS AS EX OFFICIO WARDENS WHEN A COOPERATIVE AGREEMENT EXISTS; AMENDING SECTION 87-1-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-1-503, MCA, is amended to read:

"87-1-503. Ex officio wardens. (1) The following are ex officio wardens:

(a) ~~All~~ all sheriffs and their deputies;

(b) all constables;

(c) all peace officers of the state or any subdivision of the state;

(d) the executive director and investigators of the board of outfitters;

(e) all state forest officers;

(f) as authorized by cooperative agreement, any officers of the United States forest service, agents of the United States fish and wildlife service, and peace officers of the bureau of land management, national park service, and corps of engineers that are assigned to duty in this state;

(g) as authorized by cooperative agreement, tribal fish and game wardens;

(h) former fish and game wardens; and

(i) field personnel of the department as may be appointed by the director ~~may appoint~~.

(2) ~~are ex~~ Ex officio wardens; serve without pay, except that the department may, in its discretion, allow travel expenses as provided for in 2-18-501 through 2-18-503, ~~which, if~~ If allowed, travel expenses must be paid upon proper vouchers from the state fish and game funds.

(3) Ex officio wardens have the same powers with reference to the enforcement of the fish and game laws of this state and the laws relating to parks and outdoor recreation contained in Title 23, chapters 1 and 2, except chapter 2, part 7, as regularly appointed wardens, and it is their duty to assist, whenever possible, in the enforcement of those laws."

Section 2. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0296, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2009.

President of the Senate

Signed this _____ day
of _____, 2009.

HOUSE BILL NO. 296

INTRODUCED BY MENAHAN, STEWART-PEREGOY, JUNEAU, AUGARE, BOSS RIBS, CAMPBELL,

WINDY BOY, ROUNDSTONE, SANDS

BY REQUEST OF THE ATTORNEY GENERAL

AN ACT INCLUDING TRIBAL FISH AND GAME WARDENS AS EX OFFICIO WARDENS WHEN A COOPERATIVE AGREEMENT EXISTS; AMENDING SECTION 87-1-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.